IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 186 OF 2005

IN

CRIMINAL WRIT PETITION NO. 33 OF 2004

ABDUL SHEIKH,CENTRAL JAIL AGUADA,SINQUERIM-GOA. ....Applicants

Versus

STATE OF GOA THROUGH THE INSPECTOR GEN.OF PRISONS ....Respondents

Shri V.Pangam, Advocate under Legal Aid Scheme for the Applicant.

Mrs. W. Coutinho,P.P. for the State/Respondent.

Coram:- N. A. BRITTO, J.

Date:- 16th September, 2005

P.C.:

Heard Shri Pangam, learned Advocate on behalf of the Applicant and Ms. Coutinho, learned P.P. on behalf of the respondent.

By application dated 15.9.05, the applicant has sought modification of the Order of this Court dated 5.8.05.

The applicant, a convict undergoing sentence, was ordered to be released on parole for a period of sixty days, by Order of this Court dated 9.6.05 which period, as per the applicant, started on 10.8.05. The applicant thereafter sought modification of the said Order dated 9.6.05 on account of change in circumstances and consequently the Order dated 9.6.05 was modified by this Court by another Order dated 5.8.05. The applicant again seeks modification.

It appears that the applicant went to Cuddapah, Andhra Pradesh on or about 11.8.05 and returned therefrom on 12.9.05. The applicant has stated that he no longer desires to go back to Andhra Pradesh and that he would spend the remaining period of his parole at Manora, Raia within the jurisdiction of Maina- Curtorim Police Station. As per the applicant, the office of Chunichowk, Cuddapah Police Station, Andhra Pradesh have expressed a doubt whether the applicant could stay over a period of four weeks in Andhra Pradesh and for that reason also he does not wish to go back to Cuddapah, A.P. and that he would spend the remaining period at Manora, Raia till the said period expires on 7.10.05.

From the Order dated 5.8.05 it can be seen that one of the conditions the applicant was to comply was to report to the Maina-Curtorim Police Station twice in a week. In my view, the said condition could now be modified, in that the applicant could now be directed to report to Maina-Curtorim Police Station, once a week until he surrenders to the Jail authorities.

With the above observations, the petition is disposed of. Orders dated 9.6.05 and 5.8.05 would accordingly stand modified. Expedite authenticated copy.

N. A. BRITTO, J.